

2nd Amended
APPLICATION FOR PERMIT

Nº 45768

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office. JUL 10 1982

Returned to applicant for correction. AUG 11 1982

Corrected application filed. OCT 12 1982

Map filed. OCT 12 1982 under 45767

The applicant John Devine or Peggy Devine

P.O. Box 955, of Benton
Street and No. or P.O. Box No. City or Town

California, 93512, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Unnamed Upper Spring
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is .0125 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.

3. The water to be used for Quasi-municipal and domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated: N/A

(b) Stockwater, state number and kinds of animals to be watered: N/A

(c) Other use (describe fully under "No. 12. Remarks") Quasi-municipal and domestic

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: SE 1/4 NE 1/4 Sec. 8, T1N R. 33E
Describe as being within a 40-acre subdivision of public

MDB & M or at a point which the NE cor. of Sec. 8, T1N R. 33 E bears
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

N 34° 08' 47" E, 2085.5'

6. Place of use E 1/4 Sec. 8 T1N, R 33 E MDB&M
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Spring boxes - piped to central storage tank and piped to each lot.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$25,000.

10. Estimated time required to construct works 18 months
If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use 6 months
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
- Domestic water system to serve approximately 10 parcels.

Compared sg/b1 11/bc

By s/John DeVine
P.O. Box 955
Benton, CA 93512

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 0.0125 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

The total combined duty of water under Permits 45767 and 45768 shall not exceed 3.65 million gallons annually.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0125 cubic feet per second, but not to exceed 2.95 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 13, 1987

Proof of completion of work shall be filed before April 13, 1987

Application of water to beneficial use shall be made on or before March 13, 1989

Proof of the application of water to beneficial use shall be filed on or before April 13, 1989

Map in support of proof of beneficial use shall be filed on or before _____

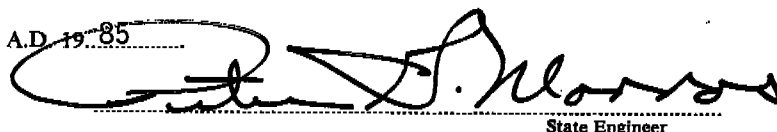
Completion of work filed _____ IN TESTIMONY WHEREOF, I PETER G. MORROS,

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed _____ my office, this 13TH day of MARCH,

Certificate No. _____ Issued _____

A.D. 19 85


State Engineer

218 (Rev.)

CANCELLED MAR 6 1989 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

 STATE ENGINEER